

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**
Harrisburg Division

IN RE:

EDUARDO PARTIDA AND LAURA LORENA
PARTIDA

Case No. 1:19-bk-04918-HWV

Chapter 13

DEUTSCHE BANK NATIONAL TRUST
COMPANY, As Trustee for Securitized Asset
Backed Receivables LLC Trust 2007-NC2,
Mortgage-Pass Through Certificates, Series
2007-NC2,
Movant

vs.

EDUARDO PARTIDA AND LAURA LORENA
PARTIDA,
Debtors

**OBJECTION TO CONFIRMATION
OF DEBTORS' MOTION TO MODIFY CHAPTER 13 PLAN**

DEUTSCHE BANK NATIONAL TRUST COMPANY, As Trustee for Securitized Asset Backed Receivables LLC Trust 2007-NC2, Mortgage-Pass Through Certificates, Series 2007-NC2 ("Movant"), by and through its undersigned counsel, files this *Objection to Confirmation of Debtors' Chapter 13 Plan* (Doc 106), and states as follows:

1. The Debtors filed a voluntary petition pursuant to Chapter 13 of the Bankruptcy Code on November 18, 2019.
2. Movant holds a security interest in the Debtors' real property located at 9705 Fuchsia Ct, El Paso, TX 79925 (the "Property"), by virtue of a Mortgage.
3. The Debtors filed a Motion to Modify the Chapter 13 Plan (the "Plan") on May

13, 2025 (Doc 106).

4. Movant filed a Proof of Claim in this case on April 24, 2020 (Claim No. 8) which lists a total debt of \$66,839.65.

5. The Plan includes payments toward the Note and Mortgage with Movant, however the figures used by the Debtors are inaccurate and do not conform to Movant's timely-filed Proof of Claim. The correct pre-petition arrearage due Movant is \$3,344.05, whereas the Plan proposes to pay only \$2,575.55.

6. Therefore, the Plan is not in compliance with the requirements of 11 U.S.C. §§ 1322(b)(3) and 1325(a)(5) and cannot be confirmed.

7. Movant objects to any plan which proposes to pay it anything less than \$3,344.05 as the pre-petition arrearage over the life of the plan.

WHEREFORE, Movant respectfully requests the entry of an Order which denies confirmation of the Plan unless such plan is amended to overcome the objections of Movant as stated herein, and for such other and further relief as the Court may deem just and proper.

/s/Mario Hanyon

Andrew Spivack, PA Bar No. 84439

Mario Hanyon, PA Bar No. 203993

Ryan Srnik, PA Bar No. 334854

Jay Jones, PA Bar No. 86657

Attorney for Creditor

BROCK & SCOTT, PLLC

3825 Forrestgate Drive

Winston Salem, NC 27103

Telephone: (844) 856-6646

Facsimile: (704) 369-0760

E-Mail: PABKR@brockandscott.com

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PARTIDA,
Debtors

CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that a true and exact copy of the foregoing
OBJECTION TO CONFIRMATION OF DEBTORS' MOTION TO MODIFY CHAPTER 13
PLAN has been electronically served or mailed, postage prepaid on this day to the following:

Via Electronic Notice:

Dawn Marie Cutaia, Debtor's Attorney
1701 West Market Street
York, PA 17404
dmcutaia@gmail.com

Jack N Zaharopoulos, Bankruptcy Trustee
8125 Adams Drive, Suite A
Hummelstown, PA 17036

US Courthouse, US Trustee
1501 N. 6th St

Harrisburg, PA 17102

Via First Class Mail:

EDUARDO PARTIDA
1218 ALTA VISTA WAY
SEVEN VALLEYS, PA 17360

LAURA LORENA PARTIDA
1218 ALTA VISTA WAY
SEVEN VALLEYS, PA 17360

Date: May 23, 2025

/s/Mario Hanyon

Andrew Spivack, PA Bar No. 84439

Mario Hanyon, PA Bar No. 203993

Ryan Srnik, PA Bar No. 334854

Jay Jones, PA Bar No. 86657

Attorney for Creditor

BROCK & SCOTT, PLLC

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